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PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT APPLICATION DECLARATION AND POWER OF ATTORNEY  
(Pag 1 of 2)

EACH OF THE APPLICANTS SIGNING BELOW HEREBY DECLARES THAT:

My residence, post office address, and citizenship are as stated next to my name in PART A on page 2 hereof.

I believe that I am an original, first, and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **MANIPULATION OF LIVE CELLS AND INORGANIC OBJECTS WITH OPTICAL MICRO BEAM ARRAYS**, the specification of which was filed on July 26, 2001, as U.S. serial no. 09/917,139.

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim the benefit under Title 35, United States Code, §119(e) of the United States Provisional patent application(s) listed below:

Provisional Patent Application Serial No. 60/168,779 filed on December 1, 1999, for **MANIPULATION OF LIVE CELLS AND INORGANIC OBJECTS WITH OPTICAL MICRO BEAM ARRAYS** to the below-named inventors of the present application.

I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent(s) issued thereon.

I hereby appoint as my attorney with full power of substitution to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith:

William C. Fuess Registration Number 30,054

whose mailing address for this application is:

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FUESS & DAVIDENAS  
Attorneys at Law  
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Attention: William C. Fuess

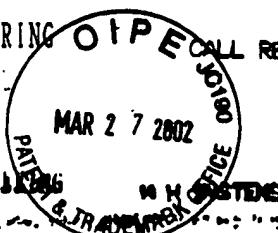
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The next page 2 attached, signed, and made a part hereof.

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PAGE 02

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W.H. SYSTEMS INC

BU. 0402 MAR. 2002

550-0917

APPOINTMENT OF AGENT FOR  
INTERNATIONAL APPLICATION

Page - 2 -

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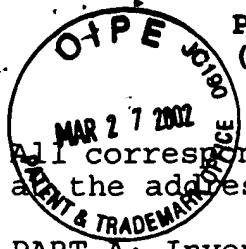
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(DUPLICATE Page 2 of 2 for Reference if Any Problems Arise with Legibility of Signatures)

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PART A: Inventors' Information and Signatures

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See page 1 to which this page is attached and of which this page is a part.

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